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10 Counsel to Bradley D. Sharp,
11 Chapter 11 Trustee

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:
LESLIE KLEIN,
Debtor.

Case No.: 2:23-bk-10990-SK
Chapter 11
**SECOND STIPULATION TO CONTINUE
HEARING ON MOTION FOR RELIEF
FROM THE AUTOMATIC STAY UNDER
11 U.S.C. § 362**

[Relates to Docket Nos. 174 and 184]

Date: November 15, 2023
Time: 8:30 a.m.
Place: Courtroom 1575
255 E. Temple Street
Los Angeles, CA 90012

Bradley D. Sharp (the “Trustee”), the duly appointed trustee for the chapter 11 estate of Leslie Klein (the “Debtor”), and NewRez LLC dba Shellpoint Mortgage Servicing, as servicer for J.P. Morgan Mortgage Acquisition Corp. (“Movant,” and together with the Trustee, the “Parties”), by and through their respective attorneys, agree and stipulate to the following:

RECITALS

A. The Debtor commenced a voluntary chapter 11 case on February 22, 2023. On March 10, 2023, the Office of the United States Trustee (the “UST”) filed a statement regarding the

1 Debtor's failure to comply with various requirements under the Bankruptcy Code, Bankruptcy
2 Rules, and certain notices and guidelines promulgated by the UST. [Docket No. 42].

3 B. On May 23, 2023, the UST filed a notice appointing the Trustee as the chapter 11
4 trustee of the Debtor's chapter 11 case. [Docket No. 151].

5 C. On May 24, 2023, the UST filed an application for an order approving the
6 appointment of Mr. Sharp as the Trustee. [Docket No. 154].

7 D. On May 24, 2023, the Court entered an order approving the appointment of Mr. Sharp
8 as the Trustee. [Docket No. 155].

9 E. On May 24, 2023, Mr. Sharp accepted his appointment as Trustee. [Docket No. 156].

10 F. The Debtor owns real property located at 143 S. Highland, Los Angeles, California
11 (the "Property") which is therefore an asset of the estate. [Docket No. 70 at Pt. 1.3]

12 G. On June 14, 2023, Movant filed the Motion Seeking Relief from the Automatic Stay
13 (the "Stay Motion") so that it can foreclose against the Property due to the Debtor's failure to make
14 timely payments under the applicable loan documents. [Docket No. 174].

15 H. On July 7, 2023, the Trustee and Movant agreed that to continue the Stay Motion to
16 November 15, 2023 so that the Trustee can engage a real estate broker who can market and sell the
17 Property. The proceeds of any sale would be used to pay off the valid claims asserted by Movant
18 and the excess proceeds would be paid into the Debtor's estate for the Trustee to administer.

19 I. The Parties recognize and agree that, in the interests of judicial economy, the hearing
20 on the Stay Motion should be further continued to February 21, 2023, or date that is directed by the
21 Court, to allow the Trustee sufficient opportunity to market and sell the Property for the benefit of
22 Movant and all other creditors of this estate, thereby potentially obviating the need for the Court to
23 adjudicate the Stay Motion.

24 **NOW THEREFORE**, the Parties have conferred and stipulate as follows:

25 **STIPULATION**

26 1. For the reasons set forth herein, the hearing on the Stay Motion shall be continued
27 February 21, 2023 at 8:30 a.m.
28

2. The Parties may extend the continuation of the hearing on the Stay Motion by filing a stipulation with the Court and uploading a proposed order no later than 7 days before the continued hearing date.

3. If Movant no longer consents to the continuation of the Stay Motion Movant may file a notice setting the Stay Motion for a new hearing on regular notice.

IN WITNESS WHEREOF, counsel for the Trustee and Movant have executed this
Stipulation as of the dates set forth below.

Dated: October 26, 2023

PACHULSKI STANG ZIEHL & JONES LLP

By: John W. Lucas

John W. Lucas

Counsel to Bradley D. Sharp,
Chapter 11 Trustee

Dated: October 26, 2023

BONIAL & ASSOCIATES, P.C.

Kirsten Martinez
Austin Nagel
Kirsten Martinez

Attorneys for Movant New Rez LLC dba
Shellpoint Mortgage Servicing as servicer for
J.P. Morgan Mortgage Acquisition

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067

A true and correct copy of the foregoing document entitled (*specify*): **SECOND STIPULATION TO CONTINUE HEARING ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) **October 26, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On (date) **October 26, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) **October 26, 2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Federal Express	Via Email:
Honorable Sandra R. Klein United States Bankruptcy Court/Central District of California Edward R. Roybal Federal Building and Courthouse 255 E. Temple Street, Suite 1582 / Courtroom 1575 Los Angeles, CA 90012	Simon Aron on behalf of Kenneth Klein and Shoshana Shrifa Klein: saron@wrslawyers.com; moster@wrslawyers.com Leslie Klein: les.kleinlaw@gmail.com; leskleinlaw@gmail.com; kleinlaw@earthlink.net

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 26, 2023 Nancy H. Brown
Date Printed Name

/s/ Nancy H. Brown
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Case 2:23-bk-10990-SK

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